IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. <u>1052.045</u>

In re application of: <u>Dennis Cleary, Hayim Vitali Penso, and Chris Zappala</u>

Serial No.:	<u>10/766,347</u>	Group Art Unit:	<u>2611</u>
Filed:	<u>01/28/04</u>	Examiner:	<u>Rahel Guarino</u>
Matter No.:	<u>Andrew 1168</u>	Phone No.:	<u>571-270-1198</u>

For: <u>Spread-Spectrum Receivers with Extended Dynamic Range</u>

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowability mailed on <u>11/02/09</u> contains an Examiner's Statement/Comment of Reasons for Allowance. In the Statement/Comment, the Examiner stated that "Examiner assumes that the step [of 'determining whether to attenuate the received analog spread-spectrum signal' recited in claims 1, 28, and 29] is implemented by a '*variable attenuator (614)*'." In response, the Applicant submits that the recited step can be, but does not have to be implemented by variable attenuator 614. For example, as described on page 3, lines 26-28, in the embodiment shown in Fig. 6, controller 612 uses control signal 610 to instruct variable attenuator 614 whether to perform selective attenuation of the received analog spread-spectrum signal. Thus, in that embodiment, controller 612, not variable attenuator 614, determines whether to attenuate the received analog spread-spectrum signal.

In general, to the extent that the Statement differs from the language of any of the independent claims, the Applicant rejects any narrowing or limitations that might possibly result from such differences.

For each of these reasons individually and for all these reasons collectively, the Applicant objects to the Statement.

Respectfully submitted,

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